

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

MELVIN FRAZIER, JR.,

Plaintiff,

v.

ACTION NO. 2:21cv534

SPACEEX,

Defendant.

DISMISSAL ORDER

On November 29, 2021, Plaintiff Melvin Frazier, Jr., appearing *pro se*, filed a document in which he asks the Court to dismiss this action, as well as five other recently filed cases. The Court will refer to Plaintiff's filing as a "Motion to Voluntarily Dismiss." Mot. Voluntarily Dismiss, ECF No. 5.

In his Motion to Voluntarily Dismiss, Plaintiff asks the Court to dismiss and close the following cases: (i) *Frazier v. Kirk*, No. 2:21cv431; (ii) *Frazier v. NASA*, No. 2:21cv529; (iii) *Frazier v. Obama*, No. 2:21cv533; (iv) *Frazier v. SpaceX*, No. 2:21cv534; (v) *Frazier v. Estevez*, No. 2:21cv538; and (vi) *Frazier v. Austin*, No. 2:21cv539. *Id.* at 1.

Federal Rule 41(a)(1)(A) provides that an action may be voluntarily dismissed by a plaintiff without a court order by filing "(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P.

41(a)(1)(A). Federal Rule 41(a)(2) provides that “[e]xcept as provided in Rule 41(a)(1), an action may be dismissed at the plaintiff’s request only by court order, on the terms that the court considers proper.” Fed. R. Civ. P. 41(a)(2).

Under these circumstances, the Court finds that dismissal of this action is proper under Federal Rule 41(a)(2). Accordingly, Plaintiff’s Motion to Voluntarily Dismiss, ECF No. 5, is **GRANTED**, and this action is hereby **DISMISSED**.

The Clerk is **DIRECTED** to please send a copy of this Dismissal Order to Plaintiff Melvin Frazier, Jr.

IT IS SO ORDERED.

/s/
Arenda L. Wright Allen
United States District Judge

Norfolk, Virginia
December 15, 2021